

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Sheri Bluebond, Presiding  
Courtroom 1539 Calendar**

**Tuesday, September 29, 2020**

**Hearing Room 1539**

10:00 AM  
**2:00-00000**

**Chapter**

**#0.00 All hearings scheduled for today will be conducted remotely,  
using ZoomGov video and audio.**

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required, **but you must still notify Chambers at [SBluebond@cacb.uscourts.gov](mailto:SBluebond@cacb.uscourts.gov) of your appearance**". The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

For more information on appearing before Judge Bluebond by ZoomGov, please see the information entitled "Notice of Video Appearance Procedures" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-sheri-bluebond> under the tab, "Instructions/Procedures."

**9/29/20 - Hearing conducted by ZOOMGov.**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1603281046>

**ZoomGov meeting number: 160 328 1046**

**Password: 103010**

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666  
(when prompted, enter meeting number and password shown above)

Docket 0

**Courtroom Deputy:**

**United States Bankruptcy Court  
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**CONT...**

**Chapter**

- NONE LISTED -

**Tentative Ruling:**

- NONE LISTED -

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**2:18-16688 Samuel Michael Saber**

**Chapter 7**

**#1.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 723 10th Street, Santa Monica, CA 90402

MOVANT: DEUTSCHE BANK NATIONAL TRUST COMPANY

fr. 7-14-20

Docket 505

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 11/17/20 @ 10AM**

**Courtroom Deputy:**

**9/29/20 - Hearing conducted by ZOOMGov.**

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ZoomGov Appearance by:

9/16/20 - James Lewin, (858)722-2203

**Tentative Ruling:**

**Rulings on Movant's Evidentiary Objections:**

**(Original) Declaration of Jonathan Goldrich**

1. Overrule objection to lack of qualifications. Declarant identifies himself as a Certified Residential Real Estate Appraiser licensed by the State of California. Overrule objection based on fact that declarant didn't view interior of property. Lack of interior inspection goes to weight.

2. Overrule. Experts may rely on hearsay information. Real estate appraisers never have personal knowledge of rents being charged and must always rely on some one providing that information. (If movant would like to

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**CONT... Samuel Michael Saber**

**Chapter 7**

prove that an assumption on which valuation is based is inaccurate, they are free to do that.)

Supplemental Goldrich Declaration

1. Overrule objection to lack of qualifications. Declarant identifies himself as a Certified Residential Real Estate Appraiser licensed by the State of California. Overrule objection based on fact that declarant didn't view interior of property. Lack of interior inspection goes to weight.

2. Overrule. Experts may rely on hearsay information.

Saber Declaration

1. Overrule objection as to statement that the original value in schedules does not take into account new appliances. Sustain objection to the balance of the paragraph for lack of foundation, hearsay and best evidence.

2. Sustain for lack of foundation.

Amaya Declaration

1. Overrule.

2. Overrule.

Tentative Ruling on the Merits:

As debtor has not obtained a stay pending appeal, debtor's appeal of the order appointing a trustee and/or the conversion of the case is irrelevant. (Note: Debtor filed an emergency motion for a stay pending appeal on July 10. The orders debtor has appealed were entered on May 4, 2020. Court refused to hear motion on an expedited basis as any emergency was created only by debtor's having waited this long to bring such a motion.)

There is no evidence in the motion to support the contention that movant lacks adequate protection. On what is this assertion based?

With regard to the request for relief under section 362(d)(2), now that the case is in chapter 7, one of the prongs of section 362(d)(2) has been satisfied -- the property is not necessary to an effective reorganization

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**CONT... Samuel Michael Saber**

**Chapter 7**

because there will be no reorganization. As to whether or not the debtor has equity in the property, under section 362(g)(1), the movant bears the burden of proof. The lender has relied merely on the value reflected in the debtor's schedules as the value of the property, which is a valuation that dates back to June of 2018.

Court notes that trustee has not opposed the motion. Does the trustee have a position as to the likely value of the property?

Continue hearing to give movant an opportunity to provide current evidence as to the value of the property. Court will not order adequate protection payments in the interim as there is no evidence that the property is declining in value.

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9/23/20 -- Court approved stipulation continuing hearing to November 17, 2020 at 10:00 a.m. See order for additional deadlines. OFF CALENDAR FOR SEPTEMBER 29, 2020.

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Samuel Michael Saber

Represented By  
Matthew A Lesnick

**Movant(s):**

DEUTSCHE BANK NATIONAL

Represented By  
Theron S Covey  
James F Lewin

**Trustee(s):**

John J Menchaca (TR)

Represented By  
Elissa Miller

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**2:19-25230 Kyle Henry Walkenhorst**

**Chapter 7**

**#2.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 5320 Ellenwood Drive, Los Angeles, CA 90041

MOVANT: ALBERT ISSACO C/O SUTTER HILL INVESTMENTS

Docket 44

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 10/20/20 @ 10AM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

9/11/20 -- Court approved stipulation continuing hearing to October 20, 2020 at 10:00 a.m. OFF CALENDAR FOR SEPTEMBER 29, 2020.

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Kyle Henry Walkenhorst

Represented By  
Michael E Clark

**Movant(s):**

ALBERT ISSACO c/o Sutter Hill

Represented By  
Edward G Schloss

**Trustee(s):**

Carolyn A Dye (TR)

Represented By  
Rosendo Gonzalez

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**2:20-15903 Juana Delgadillo**

**Chapter 7**

**#3.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2017 Nissan Sentra with Proof of Service

MOVANT: NISSAN MOTOR ACCEPTANCE CORPORATION

Docket 8

**Courtroom Deputy:**

**9/29/20 - Hearing conducted by ZOOMGov.**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1603281046>

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**Password: 103010**

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**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3).

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Juana Delgadillo

Represented By  
George C Panagiotou

**Movant(s):**

Nissan Motor Acceptance

Represented By  
Kirsten Martinez

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

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**2:20-16093 Trinidad Portales Rodriguez**

**Chapter 7**

**#4.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2020 Toyota Corolla

**MOVANT: TOYOTA MOTOR CREDIT CORPORATION**

Docket 18

**Courtroom Deputy:**

**9/29/20 - Hearing conducted by ZOOMGov.**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1603281046>

**ZoomGov meeting number: 160 328 1046**

**Password: 103010**

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666  
(when prompted, enter meeting number and password shown above)

**Tentative Ruling:**

Grant with waiver of Rule 4001(a)(3).

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Trinidad Portales Rodriguez

Represented By  
Lionel E Giron

**Movant(s):**

Toyota Motor Credit Corporation

Represented By  
Austin P Nagel

**Trustee(s):**

Timothy Yoo (TR)

Pro Se



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**2:20-17068 Alen Quiroz**

**Chapter 7**

**#5.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2019 Honda Civic, VIN: 19XF C1F3 2KE2 11252

MOVANT: HONDA LEASE TRUST

Docket 9

**Courtroom Deputy:**

**9/29/20 - Hearing conducted by ZOOMGov.**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1603281046>

**ZoomGov meeting number: 160 328 1046**

**Password: 103010**

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666  
(when prompted, enter meeting number and password shown above)

**Tentative Ruling:**

Grant with waiver of Rule 4001(a)(3).

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| <b>Party Information</b> |
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**Debtor(s):**

Alen Quiroz

Represented By  
Francis Guilardi

**Movant(s):**

HONDA LEASE TRUST

Represented By  
Vincent V Frounjian

**Trustee(s):**

Carolyn A Dye (TR)

Pro Se

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**2:20-17140 Jose Castellanos**

**Chapter 7**

**#6.00** Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Vaquerano, et al. vs. Siegert, et al; Docket No. PC057500, Los Angeles County Superior Court, Chatsworth Courthouse

MOVANT: MARIA VAQUERANO

Docket 17

**Courtroom Deputy:**

**9/29/20 - Hearing conducted by ZOOMGov.**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1603281046>

**ZoomGov meeting number: 160 328 1046**

**Password: 103010**

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666  
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**Tentative Ruling:**

Continue hearing to give movant an opportunity to file amended proof of service that lists the actual names of the people that were served electronically. (Movant should review the service information in CM/ECF and copy the relevant information into the proof of service.)

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Jose Castellanos

Represented By  
Christopher S Reyes

**Movant(s):**

Norma Rivas

Represented By  
Shalem Shem-Tov

Jimmy Vaquerano

Represented By

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**CONT... Jose Castellanos**

**Chapter 7**

Shalem Shem-Tov

Maria Vaquerano

Represented By  
Shalem Shem-Tov

**Trustee(s):**

Howard M Ehrenberg (TR)

Pro Se

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**Hearing Room 1539**

2:00 PM

**2:18-20688 Raymond A Fernandez**

**Chapter 7**

Adv#: 2:19-01518 Goodrich v. Fernandez

**#200.00** Status Conference re: 13 (Recovery of money/property - 548 fraudulent transfer)), 14 (Recovery of money/property - other)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))) (Gesmundo, Alastair)

fr. 2-25-20, 5-12-20, 6-16-20, 7-14-20, 8-25-20

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 12/1/20 @ 2PM**

**Courtroom Deputy:**

**9/29/20 - Hearing conducted by ZOOMGov.**

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**Password:** 103010

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(when prompted, enter meeting number and password shown above)

4/7/20 - Another summons issued.

**Tentative Ruling:**

At parties' request (in status report), continue status conference to May 12, 2020 at 2:00 p.m. Parties should file updated status report not later than April 28, 2020. APPEARANCES WAIVED ON FEBRUARY 25, 2020.

4/17/20 -- Court approved stipulation continuing defendant's deadline to respond to complaint to May 20, 2020 and continuing status conference to June 16, 2020 at 2:00 p.m. OFF CALENDAR FOR MAY 12, 2020.

5/18/20 -- Court approved stipulation extending response date to June 17, 2020 and continuing status conference to July 14, 2020 at 2:00 p.m. OFF CALENDAR FOR JUNE 16, 2020.

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**CONT... Raymond A Fernandez**

**Chapter 7**

6/16/20 -- Court approved stipulation extending response date to July 24, 2020 and continuing status conference to AUGUST 25, 2020 at 2:00 p.m. OFF CALENDAR FOR JULY 14, 2020.

7/31/20 -- Court approved stipulation extending response date to September 22, 2020 and continuing status conference to September 29, 2020 at 2:00 p.m. OFF CALENDAR FOR AUGUST 25, 2020.

Tentative Ruling for September 29, 2020:

Trustee filed motion for approval of compromise on September 18, 2020 using notice and an opportunity for hearing procedure. (Lump sum payment of \$60,000 payable within 2 days of signing agreement.) Continue status conference to December 1, 2020 at 2:00 p.m. to permit notice period to expire and court to process motion. APPEARANCES WAIVED ON SEPTEMBER 29, 2020.

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Raymond A Fernandez

Represented By  
Christie Cronenweth

**Defendant(s):**

Imelda Merton Fernandez

Represented By  
Shai S Oved

**Plaintiff(s):**

David M Goodrich

Represented By  
Alastair M Gesmundo

**Trustee(s):**

David M Goodrich (TR)

Represented By  
Richard H Golubow

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2:00 PM

**2:19-14578 Rachel Louise Carlsen**

**Chapter 7**

Adv#: 2:19-01201      Guirguis et al v. Carlsen et al

**#201.00**      Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury))Complaint by Mark Guirguis against Rachel Louise Carlsen

fr. 8-27-19, 11-19-19, 12-17-19, 1-14-20, 3-31-20 5-5-20, 7-14-20, 8-4-20, 9-1-20

Docket      1

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 10/27/20 @ 2PM**

**Courtroom Deputy:**

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7/28/19 - Amended complaint filed

7/31/19 - Another summons issued

8/30/19 - Cross Complaint filed

1/31/2020 - Second Amended Complaint filed.

4/27/20 - Second Amended Cross Complaint filed.

**Tentative Ruling:**

Tentative Ruling for August 27, 2019:

Defendant's answer is not due until August 30, 2019. Parties have indicated a willingness to go to mediation. Discuss timing of mediation with parties.

11/5/19 -- Court approved stipulation abandoning any interest estate may

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**CONT... Rachel Louise Carlsen**

**Chapter 7**

have in cross complaint filed by debtor.

11/12/19 -- At hearing held this date, court dismissed all counterclaims against anyone other than plaintiffs without leave to amend.

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Tentative Ruling for November 19, 2019:

Plaintiffs have filed motion to dismiss cross-complaint. Court would like to continue status conference to date of hearing on that motion, but did plaintiffs ever properly notice the hearing on that motion? Hearing required.

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Tentative Ruling for December 17, 2019:

Revisit status of action after conclusion of related matters on calendar.

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Tentative Ruling for January 14, 2020:

See tentative ruling for matter no. 217.

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Tentative Ruling for March 31, 2020:

Defendant has filed a motion to dismiss, but has not served a notice of hearing on that motion despite having been instructed by the Court to do so. Court will prepare and enter an order denying that motion without prejudice and setting a new deadline of April 14, 2020 for defendant to either answer or file **and notice a hearing on** a motion to dismiss. Defendant must give not less than 21 days' notice of the hearing on her motion and must select an appropriate hearing date by using the self-calendaring instructions on Judge Bluebond's page on the Court's website.

Order prepared by the Court should continue the status conference to May 5, 2020 at 2:00 p.m. **THE PARTIES SHOULD JOINTLY PREPARE** a joint status report that should be filed with the Court not later than April 21, 2020.  
**APPEARANCES WAIVED ON MARCH 31, 2020.**

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Tentative Ruling for May 5, 2020:

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**CONT... Rachel Louise Carlsen**

**Chapter 7**

Revisit status of action after conclusion of hearing on motion to dismiss.

6/9/20 -- At hearing on motion to strike cross-complaint, court continued status conference to August 4, 2020 at 2:00 p.m. OFF CALENDAR FOR JULY 14, 2020. NO APPEARANCE REQUIRED.

-----  
Tentative Ruling for August 4, 2020:

Set discovery cutoff for late October, 2020. Continue status conference for approximately 90 to 120 days. Order parties to complete a day of mediation prior to date of continued status conference.

8/3/20 -- At request of parties, continue hearing to September 1, 2020 at 2:00 p.m. OFF CALENDAR FOR AUGUST 4, 2020. NO APPEARANCE REQUIRED.

-----  
Tentative Ruling for September 1, 2020:

At hearing held August 26, 2020 on debtor's motion to dismiss bankruptcy case, court continued hearing to September 9, 2020. Continue this status conference to September 29, 2020 at 2:00 p.m. so that court can resolve motion to dismiss case before the continued status conference. APPEARANCES WAIVED ON SEPTEMBER 1, 2020.

-----  
9/22/20 -- At hearing held this date, court agreed to vacate dismissal of removed action and have parties refile pleadings in that action, deleting 523 and 727 material, so that court could remand removed action to state court. Once remand has occurred, court will dismiss underlying bankruptcy case and then dismiss this adversary proceeding. Continue status conference to October 27, 2020 at 2:00 p.m. as a holding date. APPEARANCES WAIVED ON SEPTEMBER 29, 2020.

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Rachel Louise Carlsen

Pro Se



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**CONT... Rachel Louise Carlsen**

**Chapter 7**

**Defendant(s):**

Rachel Louise Carlsen

Pro Se

**Plaintiff(s):**

Mark Guirguis

Represented By  
Candice Candice Bryner

Tyler Fred

Represented By  
Candice Candice Bryner

**Trustee(s):**

Carolyn A Dye (TR)

Pro Se